

**INTERVIEW SUMMARY**

Applicants wish to thank Examiner Leith for the helpful and courteous discussion with Applicants' Representative on August 15, 2006. During this discussion it was noted that Maor et al fail to disclose or suggest using the claimed amount of *Zizyphus jujuba*, which is at least 66 % smaller than the amount disclosed in Maor (col. 2, line 64; col. 3, line 18), to achieve an increase in expression level of Rho kinase or myosin light chain kinase as claimed. In addition, *Zizyphus jujuba* is used as an emollient in Maor (col. 4, lines 11-14). A person of ordinary skill in the art would not use at least 66% less of the emollient in view of the disclosure of Maor and still expect good emollient properties. Thus, there is no suggestion or motivation in Maor to use the claimed amounts of *Zizyphus jujuba*.

**REMARKS**

Applicants respectfully request reconsideration of the application, as amended, in view of the following remarks.

The present invention as set forth in **amended Claim 4** relates to a method for treating aging of the skin or improving the skin, comprising:

contacting skin with an skin aging-preventing or improving agent thereby increasing an expression level of Rho kinase or myosin light-chain kinase in the skin;

wherein said agent comprises a substance capable of increasing an expression level of Rho kinase or myosin light-chain kinase;

wherein said substance capable of enhancing the expression level of Rho kinase or myosin light-chain kinase is a plant, a part of a plant, an extract of a plant, an extract of a part of a plant or a combination thereof, each plant being independently selected from the group consisting of *Althaeaofficinalis*, *Curcuma longa*, *Actinidia chinensis*, *Gentiana lutea*, *Crataeguscuneata*, *Rehmannia glutinosa*, *Syzygium aromaticum*, *Calendula officinalis*, *Rose canina*, *Petroselinium sativum*, *Hamamelisvirginiana*, *Asiasarum sieboldii*, *Thymus serpyllum*, *Hypericum perforatum*, *Sophora flavescens*, *Cnidium officinale*, *Zizyphus jujuba*, *Citrus unshiu*, *Angelica acutiloba*, *Fucusvesiculosus*, *Tilia platyllos*, *Humulus lupulus*, *Citruslimon*, *Cassia obatusifolia*, *Magnolia obovata*, *Evodia rutaecarpa*, *Cornus officinalis*, *Atractylodes japonica*, *Digeneasimplex*, and mixtures thereof;

wherein, if said substance is a plant, an amount of said plant as reduced to dry weight is 0.00001 to 5 wt.% based on the total amount of said agent; and

wherein, if said substance is an extract of said plant, an amount of said extract of said plant as reduced to solid content is 0.00001 to 5 wt.% based on the total amount of said agent.

Maor et al fail to disclose or suggest using the claimed amount of *Zizyphus jujuba*, which is at least 66 % smaller than the amount disclosed in Maor (col. 2, line 64; col. 3, line

18), to achieve an increase in expression level of Rho kinase or myosin light chain kinase as claimed. In addition, *Zizyphus jujuba* is used as an emollient in Maor (col. 4, lines 11-14). A person of ordinary skill in the art would not use **at least 66% less** of the emollient in view of the disclosure of Maor and still expect good emollient properties. Thus, there is no suggestion or motivation in Maor to use the claimed amounts of *Zizyphus jujuba*.

Therefore, the rejections of Claims 4 and 8-14 under 35 U.S.C. § 103(a) over Maor et al is believed to be unsustainable as the present invention is neither anticipated nor obvious and withdrawal of this rejection is respectfully requested.

The objections to Claims 4 and 13 are obviated by the amendment of Claims 4 and 13.

Finally, with respect to the elected species, Applicants respectfully submit that, should the elected species be found allowable, the Office should expand its search to the non- elected species.

Application No.: 10/791,753

Reply to Office Action Dated: June 30, 2006

This application presents allowable subject matter, and the Examiner is kindly requested to pass it to issue. Should the Examiner have any questions regarding the claims or otherwise wish to discuss this case, he is kindly invited to contact Applicants' below-signed representative, who would be happy to provide any assistance deemed necessary in speeding this application to allowance.

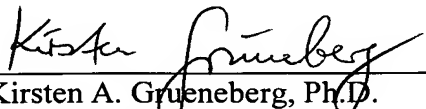
Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.  
Norman F. Oblon

Customer Number

**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
NFO:KAG:

  
Kirsten A. Grueneberg, Ph.D.  
Registration No.: 47,297